



ppm
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,543	09/25/2000	Karola Scheidig	P00,1147	2932

7590 07/30/2003

SCHIFF HARDIN & WAITE
PATENT DEPARTMENT
233 SOUTH WACKER DRIVE
SEARS TOWER 66 FLOOR
Chicago, IL 60606

[REDACTED] EXAMINER

VU, KIEU D

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2173

DATE MAILED: 07/30/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/582,543	SCHEIDIG, KAROLA
	Examiner Kieu D Vu	Art Unit 2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 18 June 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

4) Interview Summary (PTO-413) Paper No(s) _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Mullaney ("Mullaney", USP 5917484).

Regarding claims 1 and 6, Mullaney teaches a method for controlling an operator interface of a computer-controlled system, comprising the steps of processing a control panel program by a computer, said control panel program defining an operator interface on a screen (400 in Fig. 4), providing a plurality of display fields on the operator interface, said plurality of display fields containing graphic elements text (402-416 in Fig. 4), storing a graphics bitmap with contains pixels corresponding to graphics element to be represented for each of said plurality of display fields (col. 4, lines 27-29), storing a plurality of language versions in text files for the text of each of said plurality of display

fields (col. 4, lines 33-36), selecting one simple language for the texts of all of said plurality of display fields depending on an input instruction (col. 3, lines 62-67), loading the graphics bitmap that belong to every one of said plurality of display fields into a main memory of the computer (col. 4, lines 29-33), accessing text files of the language selected in said selecting step, and displaying the display fields by representing text pixels of the text files of the selected language together with the pixels of the corresponding graphics bitmap for each display field (Fig. 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullaney and Daly et al ("Daly", USP 4907282).

Regarding claims 2 and 7, Mullaney does not teach the storing bitmaps in a ROM component. However, this feature is known in the art as taught by Daly. Daly teaches a method for constructing, storing, and displaying characters which comprises storing bitmaps in a ROM component (col 2, lines 17-21). It would have been obvious to one of ordinary skill in the art, having the teaching of Mullaney and Daly before him at the time the invention was made, to modify the interface method taught by Mullaney to include storing bitmaps in a ROM component taught by Daly with the motivation being to enable

the user to apply Mullaney's method in computer systems that are not used to display graphics.

5. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullaney and Evanitsky et al ("Evanitsky", USP 5045880).

Regarding claims 3 and 8, Mullaney does not teach that the screen is a sensor screen. However, this feature is known in the art as taught by Evanitsky. Evanitsky teaches a technique for pre-programming a reproduction machine which comprises a touch sensitive screen display to accept input from users. It would have been obvious to one of ordinary skill in the art, having the teaching of Mullaney and Evanitsky before him at the time the invention was made, to modify the interface method taught by Mullaney to include a touch sensitive screen display taught by Evanitsky with the motivation being to give the system the ability to use different types of input peripherals.

6. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullaney, Evanitsky, and Frary et al ("Frary", WO 90/12358).

Regarding claims 4 and 9, Mullaney and Evanitsky do not teach selecting the language in the application-menu from an initial menu. However, this feature is known in the art as taught by Frary. Frary teaches a multi-lingual operator control panel which comprises selecting the language in the application-menu (Fig. 2) from an initial menu 30. It would have been obvious to one of ordinary skill in the art, having the teaching of Mullaney and Evanitsky before him at the time the invention was made, to modify the interface method taught by Mullaney and Evanitsky to include selecting the language in

the application-menu from an initial menu taught by Frary with the motivation being to enable the system to give users different ways to choose the desired language.

7. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullaney and Kumano ("Kumano", USP 5978754).

Regarding claims 5 and 10, Mullaney does not teach steps of reading out the new text from the appertaining text file, and displaying the text that was read out instead of the previous text without changing the graphics bitmap of the appertaining display field given a change of the language. However, such feature is known in the art as taught by Kumano. Kumano teaches a translation display apparatus which comprises displaying the change in language without changing the image (Fig. 4A – 4B). It would have been obvious to one of ordinary skill in the art, having the teaching of Mullaney and Kumano before him at the time the invention was made, to modify the interface method taught by Mullaney to include displaying the change in language without changing the image taught by Frary with the motivation being to use the same images for different languages.

8. Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullaney and Hayama ("Hayama", USP 6384922).

Regarding claims 11-15, Mullaney teaches a method for controlling an operator interface of a computer-controlled system, comprising the steps of processing a control panel program by a computer, said control panel program defining an operator interface on a screen (400 in Fig. 4), providing a plurality of display fields on the operator interface, said plurality of display fields containing graphic elements text (402-416 in Fig. 4), storing a graphics bitmap with contains pixels corresponding to graphics element to

be represented for each of said plurality of display fields (col. 4, lines 27-29), storing a plurality of language versions in text files for the text of each of said plurality of display fields (col. 4, lines 33-36), selecting one simple language for the texts of all of said plurality of display fields depending on an input instruction (col. 3, lines 62-67), loading the graphics bitmap that belong to every one of said plurality of display fields into a main memory of the computer (col. 4, lines 29-33), accessing text files of the language selected in said selecting step, and displaying the display fields by representing text pixels of the text files of the selected language together with the pixels of the corresponding graphics bitmap for each display field (Fig. 5). Mullaney differs from the claims in that Mullaney does not teach that the computer-controlled system is a high performance printer. However, such feature is known in the art as taught by Hayama. Hayama teaches a printing system which comprises the display of a control panel so that a user can select a desired language in a variety of languages provided by the system (col 1, lines 59-64; Fig. 11). It would have been obvious to one of ordinary skill in the art, having the teaching of Mullaney and Hayama before him at the time the invention was made, to apply the interface system for selecting a desired language taught by Mullaney in system taught by Hayama with the motivation being to expand the application of Mullaney interface in printing system.

9. Applicant's arguments filed 06/18/03 have been fully considered but they are not persuasive.

The argument "there is no teaching to separate the text from the graphics of the button and store them separately" is not persuasive since from the display of additional screens 500, 600, 700, 800, it is clear that Mullaney's system stores the text separately.

In response to Applicant's argument that "the user of the device according to this reference would not be able to switch to another language since the corresponding file has been deleted", Applicant's attention is directed to lines 41-59 of column 2, lines 10-20 of column 6, and figures 6-7. These cited portions clearly show that Mullaney's system has many languages and allows the user to switch from one language to another language of choice.

In response to Applicant's arguments that "the reference does not show representing the text and graphics pixels together in the display of a field" and "the prior art does not show displaying the display fields by representing text pixels of the text files of the selected languages together with the pixels of the corresponding graphics bitmap for each display filed", Applicant's attention is directed to lines 18-29 of column 4, lines 26-36 of column 5, and figures 4-8 where these limitations are clearly disclosed.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. *In re Nomiya*, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references in what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. *In re McLaughlin*, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. *In re Bozek*, 163 USPQ 545 (CCPA 1969).

The Daly reference is combined with the Mullaney reference since both references are in the same field of constructing, storing, and displaying graphic pixels and text.

The Evanitsky reference is combined with the Mullaney reference since both references are in the same field of graphical user interface in which the system accepts input from the user.

The Frary reference is combined with the Mullaney reference since both references are in the same field of multilingual interface.

The Kumano reference is combined with the Mullaney reference since both references are in the same field of displaying text and graphics bitmap where new text can be read out to replace existing text.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

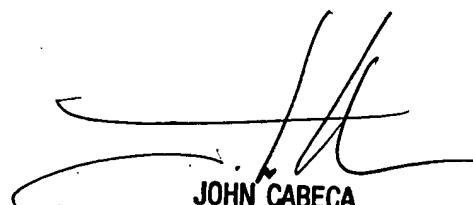
and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for
"INFORMAL" or "DRAFT" communication. Examiners may request that a formal
paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

July 23, 03.



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100